



Alan C. Lloyd, Ph.D.
Agency Secretary

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

Certified Mail: 7000 0600 0027 1155 3052

March 28, 2006

Mr. Ron Staricha, Hazardous Materials Coordinator
City of Sunnyvale, Department of Public Safety
505 West Olive, Suite 150
Sunnyvale, California 94088

Dear Mr. Staricha:

The California Environmental Protection Agency (Cal/EPA) conducted a program evaluation of the City of Sunnyvale Department of Public Safety Certified Unified Program Agency (CUPA) on February 23, 2006. The evaluation was comprised of an in-office program review. The state evaluator completed a Certified Unified Program Agency Evaluation, and a Summary of Findings with your agency's program management staff. Two additional evaluation documents included are the Program Observations and Recommendations, and the Examples of Outstanding Program Implementation.

I have reviewed the enclosed copy of the Summary of Findings and I find that the City of Sunnyvale Department of Public Safety program performance meets or exceeds standards. Thank you for your continued commitment to the protection of public health and the environment. If you have any questions or need further assistance, you may contact Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or jbohon@calepa.ca.gov.

Sincerely,

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosures
cc: See next page

Ron Staricha
February 23, 2006
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cc: Mr. Tim Johnson, Deputy Chief (Sent Via Email)
Sunnyvale Department of Public Safety
700 All America Way
Sunnyvale, CA 94088-3707



STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY



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Agency Secretary

**CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION
SUMMARY OF FINDINGS**

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CUPA: Sunnyvale Department of Public Safety

Evaluation Date: February 23, 2006

EVALUATION TEAM

Cal/EPA: Tina Gonzales

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management. Questions or comments can be directed to Tina Gonzales at (916) 322-2155.

No Deficiencies were found at this evaluation 2/23/06

CUPA Representative

(Print Name)

(Signature)

Evaluation Team Leader

(Print Name)

(Signature)

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

1. **Observation:** In reviewing the training records for the CUPA employees and coordinator, there were conferences that would be hard to tell what classes the employees participated in.

Recommendation: A suggestion I have made to other CUPAs was to have each employee keep track of what courses they participated in and list those separately under the conferences noted. This would give evaluators, staff, and supervisors credit in areas where they may need to have those courses for background/experience.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA has sent in all paperwork to Cal/EPA early or on time for the last 3 years. All Summary Reports, State Surcharges, and Self-audits(which are required with the new evaluation process) have been received as requested.
2. During the file review process, files were found to be well-organized with sections in each folder containing specific documentation. Files were filed by name or address, files were arranged chronologically. Maps and other confidential information were placed separately in folders to be easily removed for a public file review process.
3. The CUPA staff and supervisor have all had current training over the last few years in a good sampling of needed classes, updates, and the CUPA conference. Training files are kept updated and tracked on a computer tracking system, where individuals can print out a listing of classes, dates attended, and class hours. All CUPA inspectors have passed the ICC Exam, and all current on UST Health and Safety Training. Ron and Stewart have attended the CSTI Hazardous Materials Specialist and Full Responder Training. 12-15 fire personnel are Hazardous Materials trained to provide the backup and assistance as needed.
4. The CUPAs Web site contained some useful information for a good start on making information available on the web. There are usable links found for Permits, information, links to consolidated permit, services with links to specific subject areas, step process to file review, uniform documents and forms, and code information noting specific sections used by the CUPA. The web site also contained a head start news release on the new hazardous waste rules regarding Electronic, battery, and mercury containing products taking effect on February 9, 2006. The City Fee Schedule adopted by the City lists all fees is updated each July.
5. Sunnyvale CUPA is part of the new Green Business Program and is able to participate in public outreach and assistance. In the past they have participated in a yearly pancake breakfast and community health fairs manning an information booth. Other outreach consisted of: 2 hazardous Waste Generator workshops, which included free lunch and a CD produced by the CUPA Forum Board and DTSC available to participants, this training was made possible from "Fines and Penalties" collected account. The most recent training made available was 2 additional Hazardous Waste Generator, and 1 UST workshop. The CUPA has participated with 3 other CUPAs in the County to develop and present multi-language program on Dry Cleaner Compliance. The CUPA has held 2 "Worker Right to Know" classes for City Employees discussing HMBP requirements and MSDS usage, which provided employees with safe workplace information, and a UST newsletter was introduced recently which is emailed to UST owner/operators-this provides information on new/proposed regulatory changes as well as General Guidance.
6. The CUPA is quite active with meetings: hold weekly staff meetings to stress consistency within the CUPA, once a month County wide training meeting every month with inspectors from each agency, the program managers and PA's meet monthly to discuss topics of common concern-have been working on Unidocs additions, modifications, and grants to advance capability. The Technical

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

Advisory committee met twice last year, and the Countywide Enforcement Task Force meets monthly to discuss enforcement cases.

7. The CUPA uses a single fee system in their billing and an improved billing process through electronic sharing between public safety permitting/inspection software and the Finance Department Billing and Receivables system. The Unified Program fees, including the State Fees are consolidated in a single invoice and there is less duplication of data entry and reduced staff time involved.
8. The CUPA is using enforcement measures as needed: Informal enforcement is used as an effective compliance tool as the CUPA will tag forms, which will trigger reminders for sending correction certification to facilities, and may then trigger re-inspection after 35 days. If no response then, penalty monies will be charged if re-inspection is noted. 2 AEOs have been issued the last fiscal year for UST violations. There was 1 referral to the City Attorney for monetary settlement, and 1 settlement from District Attorney for penalties with a case involving the RWQCB on a Waste Disposal case.
9. The CUPA unit is budgeted for 3 inspectors, 1 coordinator, and ½ Office Assistant time. The Fees have been raised 3% in 05/06, and unit has 100% cost recovery. The CUPA is able to maintain the State's mandated inspection criteria as required. They do have a personal goal to do all inspections each year, but they are doing the State's mandated inspection. Inspections have been conducted in all CUPA programs. All HMBP and UST sites have been inspected this past year, and all 5 CalArp Facilities have been inspected over the last 3 years.
10. The CUPA consolidated permits are issued every 5 years, billed annually, and inspected prior to renewal date to verify compliance. If payment is not received, permit can be revoked. Letters are sent out by the CUPA office warning of permit revocation and hearing unless fees are paid. This has proven an effective tool with 35 letters sent out last fiscal year, 2 hearings held and 1 permit has been revoked. Permits are filed and stored electronically.